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Saigon 24272

LIMITED OFFICIAL USE SAIGON 24272

CINCPAC FOR POLAD

SUBJECT: PRESIDENTIAL CANDIDACY OF BUI NGOC PHUONG

1. SAIGON DAILY NEWS REPORTS APRIL 28 THAT BUSINESSMAN BUI NGOC PHUONG HAS ANNOUNCED HIS PRESIDENTIAL CANDIDACY IN A LETTER TO THE NEWSPAPER.

2. PHUONG'S EARLY ANNOUNCEMENT INTENDED ACCORDING TO LETTER, TO RECTIFY REPORT BY VIETNAMESE LANGUAGE PAPERS TABBING HIM AS RUNNING MATE TO BUSINESSMAN AND ASSEMBLY DEPUTY NGUYEN DINH QUAT WHO ANNOUNCED HIS CANDIDACY APRIL 5. LETTER ALSO STATES THAT PHUONG'S RUNNING MATE WILL BE CHOSEN BY REPUBLICAN DEMOCRATIC PARTY OF VIET-NAM, A PARTY, HE ADDED, IN PROCESS OF FORMATION.

3. PHUONG WAS BORN 1912 IN THANH HOA, NORTH VIET-NAM, AND CLAIMS TO BE OWNER OF IRON MINE IN CENTRAL VIET-NAM. IN LETTER HE CLAIMS TO HAVE PARTICIPATED IN VARIOUS DEMOCRATIC FRONTS AND NEWSPAPER PUBLICATIONS.

(1)

4. COMMENT: EMBASSY HAS VOLUMINOUS BIO FILE ON PHUONG, MOSTLY LETTERS TO AMBASSADOR OFFERING SERVICES AS PROVISIONAL HEAD OF GOVERNMENT, AND APPENDING LISTS OF CABINET MEMBERS, SENATORS AND CONGRESSMEN HE WOULD APPOINT IF IN POWER. HE HAS NO DISCERNIBLE STANDING OF ANY SORT IN SVN.

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SAIGON 24286

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1. I CALLED ON KY THIS AFTERNOON FOR WHAT TURNED OUT TO BE GENERAL, AND I BELIEVE HELPFUL, DISCUSSION OF MATTERS PERTAINING MAINLY TO PACIFICATION AND ELECTORAL LAW. HE BEGAN, IN RESPONSE TO MY REQUEST FOR HIS COMMENTS ON THINGS AS HE SEES THEM, WITH SOME REMARKS ON VIETNAMESE PAST EXPERIENCES UNDER THE FRENCH, WHO HE SAID HAD DONE THEIR BEST TO WEAKEN THE FIBER OF HIS PEOPLE AND HAD FAILED TO PREPARE THEM IN ANY WAY TO ADMINISTER THEIR OWN AFFAIRS. THESE FACTS, HE CONTINUED, WERE RESPONSIBLE FOR THE PROBLEM OF CORRUPTION WITH WHICH HE HAD BEEN TRYING TO

PAGE 2 RUMJIR 24286 S E C R E T
COPE OVER PAST TWO YEARS. THEIR PAST EXPERIENCE MADE IT NECESSARY FOR THE VIETNAMESE TO HAVE A REAL REVOLUTION IN ORDER TO GET RID OF SOCIAL INJUSTICES AND ESPECIALLY TO INSURE THAT THE LOT OF THE PEASANTS BE IMPROVED. AT PRESENT TIME CITY DWELLERS, WHO ARE NOT OF MUCH USE IN REPELLING THE VC, KY SAID, ARE BENEFITING FROM A RISING STANDARD OF LIVING, AND GAP BETWEEN THEM AND RURAL POPULATION IS INCREASING. HE STRESSED IN PARTICULAR PROBLEMS IN EDUCATIONAL FIELD AS A FRENCH LEGACY. FRENCH-TRAINED PEOPLE AT HEAD OF VIETNAMESE EDUCATIONAL SYSTEM ARE BLOCKING EVERYTHING THAT JUNIOR ELEMENTS TRAINED IN UNITED STATES AND OTHER COUNTRIES WANT TO DO.
2. KY THEN TURNED TO SUBJECT OF PACIFICATION IN CONNECTION WITH A NEED TO IMPROVE THINGS IN RURAL AREAS. IT WAS CLEAR FROM HIS REMARKS THAT HE IS KEENLY AWARE OF OUR DESIRE TO SEE ARVN PROPERLY MOTIVATED BECAUSE AFTER I REMINDED HIM OF THIS HE WENT INTO SOME DETAIL ABOUT HIS CONVERSATIONS WITH GENERAL THANG ON SUBJECT OF RD TEAMS. HE DISCUSSED RECENT VC DIRECTIVES TO THEIR FORCES TO

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STRIKE THE TEAMS, WHICH HE TOOK AS EVIDENCE OF FACT THAT ENEMY FELT RD HAD NOW BECOME A REAL MENACE. WHEN I MENTIONED MATTER OF MOTIVATING ARVN HE AGREED ENTIRELY WITH NECESSITY FOR DOING SO BUT SEEMED TO PLEAD FOR TIME. HE POINTED OUT THE RD ITSELF IS ONLY ABOUT A YEAR OLD AND HE RECALLED CLEARLY FACT THAT TWO MONTHS AFTER WE BEGAN THE PROGRAM, PEOPLE WERE ANNOUNCING THAT IT HAD "FALLEN FLAT ON ITS FACE." HE BELIEVES THAT MORE TIME IS NEEDED TO BRING ARVN AROUND TO ACCEPTANCE OF ITS ROLE OF PROTECTOR. DIFFICULTIES BETWEEN THE PROTECTING UNIT AND THE TEAMS, HE SAID, HAD A BAD EFFECT ON THE PEOPLE, BUT HE THOUGHT THAT SUCCESS IN THESE MATTERS WOULD BE ACHIEVED JUST AS IT HAD BEEN IN OTHER ASPECTS OF THE RD PROGRAM. THE RD TEAMS, TOO, THE PRIME MINISTER CONTINUED, HAD TO UNDERSTAND THAT ONCE IN A VILLAGE AREA THEY WERE THERE TO STAY, THOUGH HE UNDERSTOOD THAT TEAMS FELT THEMSELVES IN PERIL BECAUSE OF DELAYED REACTION OF ARVN PROTECTING UNITS AFTER A VC ATTACK HAD BEGUN. HIS PRESENT VIEW IS THAT RD PROGRAM IS PROGRESSING,

PAGE 4 RUMJIR 24286 S E C R E T
BECAUSE THANG HAD JUST GIVEN HIM AN ENCOURAGING REPORT "AND THANG DOES NOT TELL LIES." HE ALSO BELIEVES THE PROGRAM IS WELL UNDER WAY BECAUSE VC NOW RECOGNIZE IT AS VERY DANGEROUS TO THEM. I TOOK OCCASION SEVERAL TIMES DURING THIS PART OF CONVERSATION TO IMPRESS UPON HIM OUR VIEWS THAT PACIFICATION WAS A JOB FOR THE VIETNAMESE, WITH OUR SUPPORT, AND OF NEED FOR MOTIVATING AND TRAINING ARVN PROPERLY. HE ACCEPTED THE NEED UNEQUIVOCALLY.
3. I INQUIRED AS TO HIS VIEW OF ELECTION DEVELOPMENTS AS THEY STAND, REFERRING TO OUR INTEREST IN AVOIDING DISSENSION AMONG THE MILITARY REGARDLESS OF WHO MIGHT BE THE CANDIDATE. HE EXPRESSED COMPLETE CONFIDENCE THAT THERE WOULD BE NO DISUNITY AMONG THE MILITARY, ADDING THAT ALL ARE AGREED THAT THERE CAN BE NO MORE COUP D'ETATS. HE MENTIONED THAT ELECTORAL LAW IS IN FINAL DRAFTING STAGE, WHICH PROVIDED ME WITH AN OPENING FOR SAYING THAT WE ARE CONCERNED ABOUT NEED FOR WINNING CANDIDATE TO EMERGE WITH A SUFFICIENTLY LARGE VOTE TO ENHANCE HIS DOMESTIC AND

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INTERNATIONAL STATURE. (DEPTEL 183049.) KY REPLIED THAT HE THOUGHT THAT IN PRESENT CIRCUMSTANCES ANYONE IN THIS COUNTRY GAINING 40 PERCENT OF VOTE CAST WOULD BE DOING VERY WELL. IN ANSWER TO MY QUESTION WHETHER HE FAVORED A RUN-OFF ELECTION, IF THE TOP CANDIDATE RECEIVED A RELATIVELY SMALL PERCENTAGE OF OVERALL VOTE, HE HESITATED AND SAID THAT HE DID NOT THINK IT WOULD BE DESIRABLE TO HAVE ANOTHER ELECTION BECAUSE IT WOULD GIVE COMMUNISTS A PERIOD IN WHICH TO CONDUCT ALL KINDS OF MANEUVERS. IN ANY CASE, HE SAID, IT WAS UP TO ASSEMBLY TO DECIDE. HE SAID HE WAS THINKING IN TERMS OF PROVIDING FIVE MILLION PIASTERS TO EACH PRESIDENTIAL CANDIDATE TO DEFRAY ELECTION EXPENSES AND THAT NEWS OF THIS HAD ALREADY CAUSED SOME UNQUALIFIED PERSONS TO PRESENT THEIR NAMES. THERE WOULD, HOWEVER, BE CONDITIONS FOR MAKING A GRANT OF SUCH A SUM OF MANEY WITH A VIEW TO CONTROLLING MATTERS SATISFACTORILY.
4. WE THEN HAD A LENGTHY DISCUSSION CONCERNING ENEMY INTENTIONS IN THE MILITARY FIELD. KY BELIEVES

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THAT ENEMY INTENDS TO LAUNCH MAJOR ATTACKS AGAINST QUANG TRI CITY AND HUE IN NEAR FUTURE. HE SAID ENEMY HAS INFILTRATED A 450 MAN ASSASSINATION AND SABOTAGE UNIT AND HE DOES NOT CONSIDER IT UNLIKELY THAT THEY WILL ATTEMPT TO ORGANIZE A RED COMMANDO RAID IN SAIGON ITSELF WITH A VIEW TO KILLING KEY OFFICIALS AND UNDERMINING MORALE GENERALLY. IN DISCUSSING IMPACT OF NATIONAL ELECTIONS ON ENEMY'S POLITICAL POSITION, KY AGREED THAT THEY WOULD CONSTITUTE A MAJOR BLOW AND THAT THE ENEMY WOULD DO EVERYTHING IN HIS POWER FROM HERE ON TO DISRUPT THEM. HE SAW NO SIGN THAT HANOI WAS READY TO NEGOTIATE AND FEELS THAT IT WILL BE EXTREMELY DIFFICULT FOR HO CHI MINH AND PHAM VAN DONG TO ACCEPT NEGOTIATIONS BECAUSE OF TERRIFIC LOSS OF FACE THAT WOULD INVOLVE FOR THEM. WHAT IS MORE LIKELY, KY SAID, IS THAT PRESENT PROGRAM OF THE RVN, I.E., ELECTIONS, PACIFICATION AND MILITARY PRESSURE, WILL EVENTUALLY CAUSE THEM TO PHASE DOWN, REASSESS THEIR EFFORT OVER A PERIOD OF THREE OR FOUR YEARS, AND THEN TRY AGAIN.
5. DURING OUR CONVERSATION, KY CONFIRMED IMPRESSION I HAD GAINED AT GUAM. HE SPOKE SERIOUSLY AND WAS OBVIOUSLY WELL AWARE OF PROBLEMS THAT CONCERN US. I WAS ENCOURAGED BY HIS FRANKNESS AND I BELIEVE THIS FIRST OFFICIAL CONTACT AUGURS WELL FOR OUR RELATIONSHIP DURING THE VERY DIFFICULT PERIOD WHICH HE SAID LIES AHEAD. BUNKER

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INCOMING TELEGRAM *Department of State*

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UNCLAS SECTION 1 OF 7 SAIGON 24451

CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW

HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.

DRAFT LAW

LAW NO. (BLANK) DATED (BLANK) FIXING THE ORGANIZATION OF THE ELECTION OF THE PRESIDENT AND VICE-PRESIDENT OF THE REPUBLIC OF VIETNAM.

CHAPTER ONE

ELECTION DAY

ARTICLE 1. BASED ON THE CONSTITUTION PROMULGATED ON APRIL 1, 1967, THIS LAW SETS FORTH THE PROCEDURES GOVERNING THE FIRST ELECTIONS FOR PRESIDENT AND VICE-PRESIDENT.

ARTICLE 2. THE ELECTION FOR THE PRESIDENT AND VICE-PRESIDENT OF THE REPUBLIC OF VIETNAM WILL TAKE PLACE ON SUNDAY, SEPTEMBER 3, 1967.

ARTICLE 3. IF IN ANY LOCALITY ELECTIONS CANNOT BE HELD FOR REASONS BEYOND THEIR CONTROL, MAYORS AND PROVINCE CHIEFS OF THAT LOCALITY ARE AUTHORIZED TO POSTPONE THE ELECTIONS UNTIL THE NEXT MOST FAVORABLE DAY AFTER INFORMING THE SPECIAL COMMISSARIAT FOR ADMINISTRATION.

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CHAPTER TWO

ELECTORS

ARTICLE 4. (1) ELECTORS FOR THE PRESIDENT AND VICE-PRESIDENT ARE THOSE PERSONS OF VIETNAMESE NATIONALITY WHO, IRRESPECTIVE OF SEX, WERE 18 YEARS OF AGE AS OF DECEMBER 31, 1966 AND WHO ARE INSCRIBED ON THE ELECTORS' LIST AND HOLDERS OF REGUALR ELECTORS' CARDS, EXCEPT THOSE DEPRIVED OF THE RIGHTS OF CITIZENSHIP.

(2) EACH CITIZEN WILL BE INSCRIBED ON ONLY ONE ELECTORS' LIST.

ARTICLE 5. (1) IN SAIGON CAPITAL, THE LIST ELECTORS OF EVERY QUARTER WILL BE POSTED BY THE DISTRICT CHIEF FOR THE FIRST TIME ON JULY 5, 1967, AT THE DISTRICT OFFICE, THE CHIEF OF QUARTER'S OFFICE, AND AT ANY PLACE CONSIDERED NECESSARY BY THE MAYOR OF SAIGON.

(2) IN PROVINCES THE LIST OF ELECTORS OF EACH VILLAGE WILL BE SET BY THE VILLAGE ADMINISTRATIVE COMMITTEE AND WILL BE POSTED ON THE ABOVE MENTIONED DAY AT THE VILLAGE AND HAMLET OFFICE.

(3) IN MUNICIPALITIES THE LIST OF ELECTORS OF EVERY QUARTER OR VILLAGE WILL BE SET BY THE CHIEF OF THE MUNICIPALITY AND POSTED ON THE ABOVE-MENTIONED DAY AT THE QUARTER, SECTOR, OR HAMLET OFFICE.

(4) FOR MILITARY MEN AND THEIR FAMILIES RESIDING IN MILITARY CAMPS, THE LIST OF ELECTORS WILL BE SET BY COMMANDERS AT BATTALION LEVEL AND TRANSMITTED TO MAYORS AND DISTRICT CHIEFS OF COUNTERSIGNATURE BEFORE POSTING.

(5) MOREOVER, A COPY OF THE ELECTORS' LIST IN THE VILLAGE, SECTOR AND QUARTER WILL BE POSTED AT THE ADMINISTRATIVE OFFICE OF THE CAPITAL, PROVINCES, MUNICIPALITIES AND DISTRICTS.

(6) ELECTORS WHO HAVE CHANGED THEIR RESIDENCE AND WISH TO VOTE IN THEIR NEW AREA OF RESIDENCE SHOULD MAKE DECLATION TOHLOCAL AUTHORITES (VILLAGE, SECTOR, QUARTER ANE DISTRICT) ACCORDING TO THE PROCEDURES APPLIED IN HE DECLARATION OF FAMILY LISTS. NOT LATER THAN JUNE 25, 1967.

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ARTICLE 6. (1) CIVIL SERVANTS AND MILITARY MEN ON MISSIONS,
RESSIGNMENT, OR UNABLE TO RETURN TO PLACES OF RESIDENCE WHERE THEIR NAMES ARE REGISTERED ON THE ELECTORS' LIST, MAY CAST THEIR VOTES AT THEIR ACTUAL LOCATION ON ELECTION DAY WITHOUT HAVING TO PREVIOUSLY REGISTER THEIR NAMES ON THE ELECTORAL LIST.

(2) BESIDES THEIR VOTING CARDS, CIVIL SERVANTS AND MILITARY MEN MUST SHOW IN ADDITION A CERTIFICATE RELATED TO THE SPECIAL CASES DESCRIBED ABOVE AND DULY DELIVERED BY RESPONSIBLE HIGHER AUTHORITIES.

ARTICLE 7. (1) CITIZENS WHO FULFILL ALL THE CONDITIONS FOR VOTING BUT WHOSE NAMES DO NOT APPEAR ON THE LIT OF VOTERS OR APPEAR INCORRECTLY, HAVE THE RIGHT TO COMPLAIN.

(2) THE COMPLAINTS MUST BE LODGED AT THE QUARTER, VILLAGE OR SECTOR BY JULY 30, 1967 AT THE LATEST. THE AGENCIES WHICH RECEIVE THE COMPLAINTS WILL DELIVER A RECEIPT TO THE INTERESTED PERSON AND SEND THE COMPLAINTS, TOGETHER WITH THEIR OPINION TO THE CAPITAL, PROVINCE OR TOWN OFFICE.
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UNCLAS SECTION 2 OF 7 SAIGON 24451

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CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW

HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.

(3) FOLLOWING THE END OF THE PERIOD FOR LODGING COMPLAINTS, ELECTORS' LISTS AND COMPLAINTS. IF ANY, WILL BE DISPATCHED BY MAYORS AND CHIEF OF PROVINCE TO THE COUNCIL STIPULATED IN ARTICLE 8 BY JULY 25, 1967, AT THE LATEST, FOR FINAL DECISION.

(4) THE LIST OF VOTERS MUST BE DECIDED BY THE COUNCIL AND SENT BACK TO THE INTERESTED ADMINISTRATIVE AUTHORITIES BY JULY 30, 1967, AT THE LATEST.

(5) THE ADMINISTRATIVE AUTHORITIES WILL POST THE LISTS OF VOTERS FOR THE SECOND TIME AT THE PLACES STIPULATED IN ARTICLE 5 ON AUGUST 7, 1967 AT THE LATEST.

ARTICLE 8. THE PROCEDURES FOR MAKING AND ISSUANCE OF VOTERS' CARDS ARE DECIDED BY THE SPECIAL COMMISSARIAT FOR ADMINISTRATION.

ARTICLE 9. (1) IN THE SAIGON CAPITAL, EACH PROVINCE AND EACH MUNICIPALITY A LOCAL ELECTION COUNCIL WILL BE ESTABLISHED, WITH THE FOLLOWING COMPOSITION;

(2) THE CHAIRMAN IS THE PRESIDING JUDGE OF THE COURT OF FIRST INSTANCE, THE PRESIDING JUDGE OF THE LOCAL CONCILIATION COURT WITH EXTENDED JURISDICTION, OR THE PRESIDING JUDGE OF THE LOCAL CONCILIATION COURT, OR IF THERE IS NO COURT IN THIS LOCALITY, A MAGISTRATE NOMINATED BY THE JUSTICE MINISTRY.

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(3) THREE REPRESENTATIVES OF THE MUNICIPAL OR PROVINCIAL COUNCIL WHO ARE NOT CANDIDATES FOR THE CONSTITUENT ASSEMBLY (SIC), CHOSEN BY LOTS, WILL SERVE AS MEMBERS.

(4) TWO VOTERS' REPRESENTATIVES CHOSEN BY LOT FROM A LIST OF TWENTY NOTABLES DRAWN UP BY LOCAL AUTHORITIES AND WHO ARE NOT CANDIDATES FOR THE CONSTITUENT ASSEMBLY (SIC), WILL ALSO SERVE AS MEMBERS.

(5) AN OFFICER OF MILITARY JUSTICE WILL ALSO SERVE AS A MEMBER.

(6) ONE REPRESENTATIVE OF THE CITY, TOWN OR PROVINCE ADMINISTRATIVE OFFICE WILL SERVE AS REPORTERS AND WILL HAVE THE RIGHT TO VOTE.

CHAPTER THREE
CANDIDATES

ARTICLE 10. CITIZENS MEETING THE FOLLOWING CONDITIONS WILL HAVE THE RIGHT TO RUN FOR PRESIDENT OR VICE-PRESIDENT;

(1) CANDIATES MUST HAVE VIETNAMESE CITIZEN-SHIP SINCE BIRTH.

(2) THEY MUST HAVE LIVED ON VIETNAMESE TERRITORY AT LEAST TEN YEARS IMMEDIATELY BEFORE ELECTION DAY. TIME SPENT ABROAD ON OFFICIAL MISSION OR IN POLITICAL EXILE TO CONSIDERED AS TIME SPENT IN VIETNAM.

(3) CANDIDATES MUST BE 35 YEARS OLD ONELECTION DAY.

(4) CANDIDATES MUST ENJOY ALL RIGHTS OF CITIZENSHIP.

(5) CANDIDATES MUST HAVE COMPLIED WITH MILITARY DRAFT REGULATIONS.

(6) CANDIDATES MUST NOT FALL WITHIN THE CATEGORIES PRESCRIBED IN ARTICLE II.

ARTICLE II. THE FOLLOWING PERSONS WILL NOT BE ALLOWED TO BE CANDIDATES;

(1) THOSE SENTENCED FOR CRIMINAL OFFENSES;

(2) THOSE SENTENCED FOR LIGHT OFFENSES SUCH AS THEFT, SWINDLING, BREACH OF TRUST, FORGERY, VIOLATION OF GOOD MORALS, BRIBERY, INFLUENCE PEDDLING, AND EMBEZZLEMENT.

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(3) THOSE SENTENCED FOR OTHER LIGHT OFFENSES, EXCEPT FOR THOSE COMMITTED BY CARELESSNESS AND NEGLIGNCE. HOWEVER THOSE GUILTY OF FLEEING THE SCENE OF A TRAFFIC ACCIDENT WILL NOT BE ALLOWED TO RUN.

(4) THOSE WHO HAVE BEEN DEPRIVED OF CIVIC RIGHTS OR THE RIGHT TO RUN BY COURT SENTENCES ACCORDING TO LAWS NOW IN FROCE.

(5) THOSE UNDER LEGAL GUARDIANSHIP OR STRUCK BY MENTAL DISEASES.

(6) PERSONS WHO HAVE GONE BANKRUPT AND ARE NOT YET REHABILITATED.

(7) PERSONS WHO HAVE NOT COMPLIED WITH ORDERS TO SERVE IN THE ARMED FORCES.

(8) CIVIL SERVANTS, MILITARY MEN, GOVERNMENT OFFICIALS IN ALL BRANCHES AND OF ALL LEVELS, WHO HAVE BEEN SUSPENDED, DISMISSED OR RESIGNED FOR DISCIPLINARY REASONS.

(9) THOSE WHO HAVE DIRECTLY OR INDIRECTLY WORKED FOR COMMUNISM OR PRO-COMMUNIST NEUTRALISM OR WORKED IN THE INTERESTS OF COMMUNISM.

THE PROVISIONS OF PARAGRAPHS 1, 2, 3, 4 AND 8 CITED ABOVE WILL NOT APPLY TO THOSE WHO HAVE HAD THEIR STATUS RESTORED ACCORDING TO PROVISIONS STIPULATED IN DECREE-LAZ 4/63 OF DECEMBER 24, 1963, OR WHO HAVE BEEN GRANTED AMNESTY BY DECREE-LAW 083-SL/CT OF JANUARY 29 1964 AND SUBSEQUENT TEXTS.

THOSE WHO HAVE BEEN SENTENCED FOR CRIMINAL OR LIGHT OFFENSES OF POLITICAT CHARACTER OR FOR POLITICAL REASONS BEFORE NOVEMBER 1, 1963, MAY APPEAL BY JUNE 17, 1967, FOR A COUNCIL'S DECISION THAT THE SENTENCE PASSED UPON THEM IS ONE WHICH WOULD NOT PREVENT THEM FROM RUNNING. THIS COUNCIL WILL BE PRESIDED BY THE PRESIDENT OF THE SUPREME COURT OF APPEAL, ASSISTED BY TWO ASSISTANT JUDGES OF THE SAME COURT SERVING AS MEMBERS AND WILL HAVE TO ISSUE A DECISION WITHIN TWO WEEKS FOLLOWING THE DATE OF APPEAL.

ARTICLE 12. (1) APPLICATIONS FOR CANDIDACY MUST BE FILED AS A LIST INCLUDING THE NAME OF THE PRESIDENTIAL CANDIDATE AND THE NAME OF THE VICE-PRESIDENTIAL CANDIDATE. APPLICATIONS MUST BE FILED IN DUPLICATE WITH EACH CANDIDATE'S FULL NAME, ALIASES IF ANY, DATE AND BIRTHPLACE, OCCUPATIONS, PRESENT RESIDENCE, AND A CERTIFIED, CLEAR, SIGNATURE OF EACH CANDIDATE.

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(2) EACH LIST MUST CLEARLY INDICATE WHICH PERSONS IS A CANDIDATE FOR PRESIDENT AND WHICH IS A CANDIDATE FOR VICE-PRESIDENT.

(3) CANDIDATES CAN HAVE THEIR NAMES ON ONLY ONE LIST.

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UNCLAS SECTION 3 OF 7 SAIGON 24451

CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW

HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.

(4) CANDIDATES MUST ESTABLISH A SAIGON ADDRESS AS AN OFFICIAL PLACE OF LIAISON WITH AGENCIES RESPONSIBLE FOR ORGANIZAING THE ELECTION.

ARTICLE 13. CANDIDATES' APPLICATIONS WILL BE SUBMITTED TO THE OFFICE OF THE NATIONAL ASSEMBLY POPULARLY ELECTED ON SEPTEMBER 11, 1966, AT THE LATEST ON MID-NIGHT JULY 5, 1967 AND MUST BE ACCOMPANIED BY THE FOLLOWING DOCUMENTS;

(1) A BIRTH CERTIFICATE OR A DOCUMENT REPLACING IT.
(2) A #2 POLICE RECORD NOT OLDER THAN THREE MONTHS.
(3) AN AFFIDAVIT THAT THE CANDIDATE HAS HAD CONTINUOUS RESIDENCE ON VIETNAMESE TERRITORY FOR TEN YEARS IMMEDIATELY PRIOR TO ELECTION DAY.
(4) A CERTIFICATE THAT THE CANDIDATE HAS COMPLIED WITH MILITARY DRAFT REGULATIONS.
(5) RECEIPT OF DEPOSIT FOR ELECTORAL CAMPAIGN EXPENSES PRESCRIBED IN ARTICLE 21.
(6) A LIST OF REPRESENTATIVES TO BE ASSIGNED TO THE CENTRAL ELECTORAL CAMPAIGN COMMITTEE PRESCRIBED IN ARTICLE 17.
(7) SYMBOLS OF THE LIST AND FIVE 4 BY 6 PHOTOGRAPHS OF EACH CANDIDATE.

WHEN IT RECEIVES AN APPLICATION, THE OFFICE OF THE NATIONAL ASSEMBLY MUST IMMEDIATELY ISSUE A RECEIPT TO THE PERSONS FILING IT. LIST OF CANDIDATES WILL BE ARRANGED ACCORDING TO THE SEQUENCE IN WHICH THE FILE FOLLOWING HOUR, DAY, AND MONTH.

ARTICLE 14. THE NATIONAL ASSEMBLY POPULARLY DELECTED ON SEPTEMBER 11, 1966, HAS THE FOLLOWING RESPONSIBILITIES;

(1) TO RECEIVE APPLICATIONS AND DOCUMENTS OF CANDIDATES.
(2) TO EXAMINE CANDIDATES' DOCUMENTS INCLUDING THOSE MENTIONED

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IN ARTICLE 13.
WITHIN 24 HOURS OF RECEIPT OF ALL APPLICATIONS FOR CANDIDACY, THE OFFICE OF THE NATIONAL ASSEMBLY WILL POST FOR THE FIRST TIME LISTS OF CANDIDATES WHO ARE QUALIFIED AND WHO HAVE SUBMITTED THE DOCUMENTS REQUIRED BY ARTICLE 13. AT THE SAME TIME, THE OFFICE OF THE ASSEMBLY WILL REQUEST THE SPECIAL COMMISSARIAT FOR ADMINISTRATION TO POST LISTS OF CANDIDATES MEETING ALL THE CONDITIONS AT ALL MUNICIPAL AND PROVINCIAL HEADQUARTERS AND AT VILLAGE OFFICES.

ARTICLE 15. (1) ELECTORS AND CANDIDATES MAY FILE COMPLAINTS TO THE OFFICE OF THE NATIONAL ASSEMBLY ON CANDIDATES' QUALIFICATIONS NO LATER THAN JULY 9, 1967.

(2) THE OFFICE OF THE NATIONAL ASSEMBLY MUST TRANSMIT THE COMPLAINTS TO THE CENTRAL ELECTION COUNCIL REFERRED TO IN ARTICLE 16 ON JULY 10, 1967.

(3) THE CENTRAL ELECTION COUNCIL MUST EXAMINE THE COMPLAINTS AND REPORT TO THE OFFICE OF THE NATIONAL ASSEMBLY NO LATER THAN JULY 16, 1967.

(4) LISTS OF CANDIDATES WILL BE POSTED A SECOND TIME ACCORDING TO PROCEDURES SET IN ARTILCE 14 9, JULY 19, 1967.

(5) FROM THE DATE OF SECOND POSTING CANDIDATES MAY NOT WITHDRAW THEIR CANDIDACY.

(6) A RECORD OF THIS SECOND POSTING MUST BE KEPT.

ARTICLE 16. A CENTRAL ELECTION COUNCIL, THE COMPOSTITION OF WHICH IS GIVEN BELOW, HAS THE MISSION OF REPORTING TO THE NATIONAL ASSEMBLY ON COMPLAINTS ABOUT CANDIDATES' QUALIFICATIONS AND COMPLAINTS ABOUT ELECTION RETURNS. THE PRESIDING JUDGE OF THE SUPREME COURT OF APPEAL IS CHAIRMAN OF THE COUNCIL. THE CHAIRMAN OF THE STATE COUNCIL, THE CHAIRMAN OF THE INSPECTORATE, THE DEAN OF THE LAWYERS CORPS, AND THE DEAN OF THE NATIONAL INSTITUTE OF ADMINISTRATION ALL SERVE AS COUNCIL MEMBERS. A REPRESENTATIVE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION WILL SERVE AS THE COUNCIL'S REPORTER AND WILL HAVE THE RIGHT TO VOTE.

ARTICLE 17. (1) CIVIL SERVANTS AND MILITARY PERSONNEL WISHING TO BE CANDIDATES MUST REQUEST LEAVE WITHOUT PAY FROM THE DAY THEY HAVE COMPLETED THEIR APPLICATION FOR CANDIDACY THROUGH ELECTION DAY.

( ) THIS ARTILCE DOES NOT APPLY TO PERSONS HOLDING POPULARLY ELECTED POSITIONS.

CHAPTER FOUR

ARTICLE 18. (1) A CENTRAL ELECTION CAMPAIGN COMMITTEE WILL BE ESTABLISHED FOR THE WHOLE COUNTRY COMPOSED OF ONE PRINCIPAL AND ONE ALTERNATE REPRESENTATIVE CHOSEN BY EACH LIST OF CANDIDATES.

(2) A LOCAL ELECTION CAMPAIGN COMMITTEE OF SIMILAR COMPOSITION WILL BE ESTABLISHED IN EACH MUNICIPALITY AND PROVINCE.

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ARTICLE 19. (1) THE CENTRAL ELECTION CAMPAIGN COMMITTEE WILL BE CONVENED BY THE OFFICE OF THE NATIONAL ASSEMBLY NO LATER THAN JULY 20, 1967.

(2) THE CHAIRMAN OF THE CENTRAL ELECTION CAMPAIGN COMMITTEE WILL BE A DEPUTY SELECTED BY THE NATIONAL ASSEMBLY.

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UNCLAS SECTION 4 OF 7 SAIGON 24451

CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.

(3) CHAIRMEN OF LOCAL ELECTION CAMPAIGN COMMITTEES WILL BE COUNCILLORS CHOSEN BY MUNICIPAL OR PROVINCIAL COUNCILS.

(4) CHAIRMEN OF CAMPAIGN COMMITTEES ONLY HAVE THE RIGHT TO CONVENE AND DIRECT DEBATE OF THESE COMMITTEES. IN THE EVENT OF A TIE VOTE BETWEEN REPRESENTATIVES, THE CHAIRMAN HAS THE RIGHT TO CAST THE DECIDING VOTE.

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ARTICLE 20. ALL CANDIDATES WILL RECEIVE EQUAL FACILITIES IN THE ELECTORAL CAMPAIGN. ELECTION CAMPAIGN COMMITTEES WILL BE CHARGED WITH THE FOLLOWING TASKS;

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(1) TO FIX THE NUMBER, THE SIZE AND THE COLOR OF POSTERS AND LEAFLETS. EECHH WILL HAVE THE MAXIMUM OF TWO KINDS OF POSTERS NOT LARGER THAN 6556 100M AND TWO KINDS OF LEAFLETS NOT LARGER THAN 20 M BY 25 M.
(2) TO PRINT, TRANSPORT AND DISTRIBUTE THE LEAFLETS AND POSTERS CITED ABOVE.
(3) TO FIX THE DATE AND PLACES FOR PUTTING UP POSTERS AND DISTRIBUTING LEAFLETS.

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(4) TO ORGANIZE TALKS BETWEEN ELECTORS AND CANDIDATES OR THEIR REPRESENTATIVES.

(5) TO DETERMINE PROCEDURES GOVERNING PRESS ACTIVITIES ON BEHALF OF CANDATES OR THEIR REPRESENTATIVE.

(6) TO FIX MODES OF USE OF MOBILE BROADCASTING UNITS, RADIO STATIONS, AND TELEVISION IN THOSE PLACES WHERE MEANS FOR

PROPAGANDA EXIST, EQUAL TIME MUST BE RESERVED FOR ALL CANDIDATES FOR USE OF THESE FACILITIES.

(7) CAMPAIGN ACTIVITIES MUST BE REPORTED BY ELECTORAL CAMPAIGN COMMITTEES TO THE LOCAL ADMINISTRATIVE AUTHORITIES.

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(8) NOBODY IS ALLOWED TO MAKE USE OF CAMPAIGN MEANS OUTSIDE THE NUMBER AND MODES FIXED BY THIS ARTICLE.

ARTICLE 21. (1) EXPENSES RELATED TO THE ORGANIZATION OF THE ELECTIONS, INCLUDING THE COST OF CANDIDATES' OBSERVERS, WILL BE BORNE BY THE NATIONAL BUDGET.

(2) CONCERNING CAMPAIGN EXPENDITURES, THE NATIONAL BUDGET WILL COVER A MAXIMUM EXPENSE OF ONE PIASTER PER ELECTOR FOR EACH LIST. IF HE CENTRAL ELECTION CAMPAIGN COMMITTEE UNANIMOUSLY DEEMS A LARGER AMOUNT NECESSARY, THE NATIONAL BUDGET WILL STILL ONLY PROVIDE THE ABOVE MENTIONED MAXIMUM SUM, AND CANDIDATES MUST COVER THE EXTRA EXPENDITURES BY THEIR OWN MEANS.

(3) EACH LIST MUST DEPOSIT IN THE TREASURY A SUM EQUALLING ONE-TENTH OF THE TOTAL CAMPAIGN EXPENSES RESERVED FOR EACH LIST. IN THE EVENT THAT THE CANDIDATES WITHDRAW THEIR CANDIDACY AFTER THE SECOND POSTING OF LISTS, OR IF THEY FAIL TO RECEIVE TEN PERCENT OF THE TOTAL NUMBER OF VALID VOTES

CAST IN THE COUNTRY, THEY MUST REIMBURSE THE NATIONAL BUDGET THE SUM OF MONEY EXPENDED ON THEIR BEHALF BY THE

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ELECTORAL CAMPAIGN COMMITTEE FOR PRINTING LEAFLETS AND POSTERS.

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ARTICLE 22. (1) SYMBOLS OR PHOTOGRAPHS OF EACH LIST MUST BE SUBMITTED TO THE ELECTORAL CAMPAIGN COMMITTEE NO LATER THAN JULY 21, 1967, FOR IMMEDIATE TRANSMITTAL TO THE SPECIAL COMMISSSARIAT FOR ADMINISTRATION FOR PRINTING OF POSTERS, LEAFLETS AND BALLOTS.

(2) TEXTS OF POSTERS AND LEAFLETS MUST BE SUBMITTED TO THE ELECTORAL CAMPAIGN COMMITTEE WITHIN THE TIME LIMIT SET BY THE COMMITTEE.

ARTICLE 23. (1) THE ELECTORAL CAMPAIGN WILL BEGIN AUGUST 3, 1967, AT THE EARLIEST AND WILL END AT 12 NOON OF SEPTEMBER 2, 1967.

(2) ANY CANDIDATE NOTING A VILATION OF THE PROVISIONS OF ARTICLE 20 OR OF THIS ARTICLE GAS THE RIGHT TO REQUEST THE CAMPAIGN COMMITTEE TO INTERVENE WITH THE AUTHORITIES TO TAKE APPROPRIATE MEASURES TO IMMEDIATELY PUT AN END TO ANY VIOLATION.

CHAPTER FIVE
VOTING PROCEDURES

ARTICLES 24. (1) THE PRESIDENT AND VICE PRESIDENT WILL BE ELECTED TOGETHER ON THE SAME LIST IN A SINGLE ELECTION BY UNIVERSAL SUFFRAGE, DIRECT AND SECRET BALLOT.

2) THE CANDIDATES ON THE LIST WICH RECEIVES THE GREATEST NUMBER OF VOTES WILL BE DECLARED ELECTED.

(3) IF SEVERAL LIST RECEIVE AN EQUAL NUMBER OF VOTES,

THE LIST WITH THE OLDEST PRESIDENTIAL CANDIDATE WILL BE DECLARED ELECTED.

ARTICLE 25. (1) THE PRINTING OF BALLOTS WILL BE UNDERTAKEN BY THE SPECIAL COMMISSARIAT FOR ADMINISTRATION.

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SUBJECT: CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW
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NSA THEY WILL BE PRINTED IN BLACK AND WHITE ACCORDING TO THE
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AID (2) ON EACH BALLOT THERE WILL BE PRINTED THE FULL NAME, SYMBOL
E AND PHOTOGRAPH OF THE PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATE.
COM
RSR (3) CANDIDATES ARE FREE TO CHOOSE THEIR OWN SYMBOLS, BUT QUEER,
INTERNATIONAL, AND RELIGIOUS SYMBOLS ARE FORBIDDEN. SYMBOLS
OF POLITICAL GROUPS CAN BE USED EXCEPT IN CASES WHERE THEY ARE
CONTESTED BY THE CENTRAL EXECUTIVE COMMITTEE OF THE GROUP CONCERNED.

(4) LISTS MAY NOT CHOOSE SYMBOLS WHICH ARE SIMILAR TO EACH OTHER.

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SYMBOLS MUST BE APPROVED BY THE CENTRAL CAMPAIGN COMMITTEE.

ARTICLE 26. (1) THE LOCATION OF POLLING STATIONS WILL BE DECIDED BY MAYORS AND PROVINCE CHIEFS AND DECLARED PUBLICLY BY SEPTEMBER 1, 1967, AT THE LATEST.

(2) A COMMITTEE COMPOSED OF A CHAIRMAN, A DEPUTY CHAIRMAN AND AN EVEN NUMBER OF MEMBERS, AT LEAST TWO, WILL BE IN CHARGE

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OF EACH POLLING STATION. THE CHAIRMAN AND DEPUTY CHAIRMAN WILL BE APPOINTED BY THE MAYORS AND PROVINCE CHIEFS AND WILL BE CHOSEN FROM AMONG THOSE PEOPLE KNOWN FOR THEIR SERIOUSNESS AND KNOWLEDGE OF ELECTORAL LAWS. THE MEMBERS ARE CHOSEN BY THE CHAIRMAN FROM THE VOTERS PRESENT AT THE POLLING STATION ON ELECTION DAY.

(3) EACH LIST HAS THE RIGHT TO DESIGNATE AN OBSERVER IN THE POLLING STATION. THE LATTER MUST HAVE A CERTIFICATE ISSUED BY THE CANDIDATES, OR BY THE OFFICIAL REPRESENTIATIVE OF THE IST, AND DULY CERTIFIED BY AUTHORITIES.

(4) THE COMMITTEE CHAIRMAN IS ENTRUSTED WITH THE TASK OF SUPERVISING THE VOTING SO THAT IT WILL PROCEED IN CONFORMITY WITH THE ELECTORAL LAW. HE IS RESPONSIBLE FOR KEEPING ORDER AT THE POLLING STATION.

(5) THE DEPUTY CHAIRMAN ASSISTS THE CHAIRMAN IN THE ABOVE DUTIES AND WILL SUPERVISE THE DISTRIBUTION OF BALLOTS.

(6) THE CHAIRMAN IS OBLIGED TO MAKE A REPORT IMMEDIATELY IN THE EVENT OF FRAUD OR IF A COMPLAINT IS MADE BY THE CANDIDATES' REPRESENTATIVES.

(7) THE VOTING BEGINS AT 0700 AND ENDS AT 1700 THE SAME DAY.

ARTICLE 27. (1) VOTERS HAVE TO CAST THEIR BALLOTS PERSONALLY AT THE POLLING STATIONS. THEY CANNOT VOTE BY MAIL OR BY PROXY.

(2) WHEN ENTERING THE POLLING BOOTH, THE VOTER IS FORBIDDEN TO CARRY WEAPONS. HE MUST SHOW HIS VOTING CARD TOGETHER WITH HIS IDENTITY CARD BEFORE RECEIVING AN ENVELOPE AND BALLOTS.

(3) THE PERSON WHO DISTRIBUTES THE BALLOTS MUST GIVE VOTERS ONE FOR EACH LIST OF CANDIDATES AND ALTERNATE THE SEQUENCE IN WHICH THEY ARE GIVEN TO THE VOTER.

(4) THE VOTER MUST GO ALONE INTO A COVERED BOOTH. IF HE WISHES TO VOTE FOR A CERTAIN LIST, HE WILL CHOOSE THE BALLOT OF THIS LIST AND PUT IT IN AN ENVELOPE.

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(5) THE VOTER MUST SELECT A BALLOT FROM AMONG THOSE GIVEN TO HIM. HE CANNOT ADD, DELETE, OR CHANGE ANY NAMES. HE CANNOT CHOOSE NAMES OF CANDIDATES FROM DIFFERENT LISTS.

(6) UNUSED BALLOTS MUST BE TORN APART AND DROPPED IN A CONTAINER PLACED AT THE POLLING BOOTH.

(7) UPON LEAVING THE POLLING BOOTH, THE VOTER WILL TAKE WITH HIM THE ENVELOPE CONTAINING THE BALLOT, HOLD IT HIGH TO SHOW THERE IS ONLY ONE ENVELOPE, THEN DROP IT IN THE BALLOT BOX.

(8) PHYSICALLY HANDICAPPED VOTERS MAY BE ALLOWED BY THE COMMITTEE CHAIRMAN TO SELECT A VOTER TO HELP HIM. THE COMMITTEE CHAIRMAN HAS FULL AUTHORITY TO DECIDE ON THESE CASES.

(9) AFTER THE VOTER HAS CAST HIS BALLOT, A MEMBER OF THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL STAMP THE VOTER'S VOTING CARD AND CUT THE CARD AT A CORNER. THE CORNERS CUT FROM VOTING CARDS MUST BE PRESERVED FOR FURTHER CHECKING AGAINST THE NUMBER OF VOTERS WHO HAVE VOTED.

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ARTICLE 28. (1) THE BALLOT BOX HAS SMALL SLOT FOR THE PASSAGE OF THE BALLOT. WHEN THE VOTING BEGINS, THE COMMITTEE CHAIRMAN OPENS THE BALLOT BOX AND SHOWS IT TO THE PUBLIC SO THE LATTER CAN SEE THAT IT IS EMPTY.

(2) THEN THE BALLOT BOX IS CLOSED BY TWO DIFFERENT LOCKS WHOSE KEYS ARE KEPT ONE BY THE COMMITTEE CHAIRMAN AND THE OTHER BY THE OLDEST MEMBER OF THE COMMITTEE.

(3) IF, WHEN THE VOTING IS OVER, A KEY IS MISSING, THE BALLOT BOX MUST BE OPENED BY ANY MEANS AND THE FACT NOTED DOWN IN THE REPORT.

ARTICLE 29. (1) IF THERE ARE ANY SIGNS INDICATING THAT THERE MAY BE SERIOUS DISTRUBANCES OR SABOTAGE DURING THE COUNTING OF VOTES, MAYORS AND PROVINCE CHIEFS MAY AUTHORIZE THE COMMITTEE IN CHARGE OF THE POLLING STATION TO BRING BALLOT BOXES TO A MORE SECURE PLACE TO COUNT THE BALLOTS.

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(2) IN SUCH CASES, THE FOLLOWING MEASURES MUST BE STRICTLY APPLIED;
(A) VOTERS AN[illegible] CANDIDATES' REPRESENTATIVES MUST BE INFORMED.
(B) VOTERS A[illegible] CANDIDATES' REPRESENTATIVES MUST BE INFORMED.
(B) BEFORE MOVING THE BALLOT BOXES, THE COMMITTEE CHAIRMAN MUST SEAL ALL BALLOT BOXES, SLOTS IN BALLOT BOXES, AND TWO LOCKS AS WELL AS RELATED DOCUMENTS.

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UNCLAS SECTION 6 OF 7 SAIGON 24451

CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW

HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.

(C) FROM THE START OF THE MOVE UNTIL THE COUNTING OF THE VOTES, CANDIDATES' REPRESENTATIVES AND ALL COMMITTEE MEMBERS MUST BE PRESENT. THIS FACT WILL BE ENTERED IN THE REPORT.

ARTICLE 30. WHEN VOTING IS OVER, VOTES WILL BE COUNTED IN THE FOLLOWING MANNER;

(1) THE COMMITTEE IN CHARGE OF THE POLLING STATIONS WILL APPOINT FROM AMONG THE VOTERS PRESENT WHO CAN READ AND WRITE A NUMBER WHO WILL COUNT BALLOTS. THEY WILL BE DIVIDED INTO GROUPS OF FOUR PERSONS SITTING AT SEPARATE DESKS.

(2) THE COMMITTEE CHAIRMAN OPENS THE BALLOT BOXES AND HAS THE ENVELOPES COUNTED. IF THE NUMBER OF ENVELOPES EXCEEDS OR IS LESS THAN THE

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NUMBER OF VOTERS WHO HAVE VOTED, IF MUST BE NOTED IN THE REPORT. THE NUMBER OF VOTERS WHO HAVE VOTED IS THE NUMBER OF CORNERS CUT FROM THE VOTERS' CARDS.

(3) THE COMMITTEE CHAIRMAN PUTS SOME BALLOTS ON EACH DESK FOR COUNTING. AT EACH DESK, THE FIRST COUNTER OPENS THE ENVELOPE AND HANDS OER THE BALLOT TO THE SECOND COUNTER WHO READS ALOUD THE NAMES PRINTED ON THE BALLOT. THE BALLOT IS THEN HANDED OVER TO TWO OTHER VOTE COUNTERS WHO CHECK IT SEPARATELY AND NOTE IT ON THE TALLY SHEET. WHEN COUNTING, THE FIRST AND SECOND COUNTERS ARE NOT ALLOWED TO HOLD ANYTHING IN THEIR HANDS WHICH MIGHT MAKE THE BALLOTS IRREGULAR.

ARTICLE 31. BALLOTS WILL BE CONSIDERED INVALID IN

THE FOLLOWING CASES;

(1) IF ENVELOPES CONTAIN MORE THAN ONE BALLOT. HOWEVER, IF THERE BE MORE THAN ONE BALLOT BEARING NAMES OF THE SAME LIST, THE BALLOT WILL BE CONSIDERED VALID AND COUNT AS ONE VOTE.

(2) IF THE ENVELOPE IS DIFFERENT FROM THOSE DISTRIBUTED TO VOTERS.

(3) IF ENVELOPES ARE EMPTY OR CONTAIN SOMETHING OTHER THAN THE BALLOTS.

(4) IF ENVELOPES OR BALLOTS CONTAIN ADDITIONAL WORDS OR SYMBOLS.

(5) IF THE BALLOT IS NOT INSIDE THE ENVELOPE.

(6) IF THE BALLOT SHOWS ADDITIONAL NAMES OR THE NAMES OF CANDIDATES HAVE BEEN CHANGED OR THEIR

ORDER MODIFIED, OR IF THE BALLOT IS TORN IN TWO PARTS.

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THE COMMITTEE CHAIRMAN AND ONE MEMBER OF THE COMMITTEE MUST SIGN ON THE IRREGULAR ENVELOPE OR BALLOT WHICH WILL THEN BE ENCLOSED WITH THE COMMITTEE REPORT STATING THE CAUSE OF THE IRREGULARITY.

IF THE IRREGULAR ENVELOPES AND BALLOTS ARE NOT ENCLOSED WITH THE REPORT THE ELECTION WILL BE ANNULLED ONLY IN THE CASE THAT THE IRREGULAR BALLOTS COULD MODIFY THE RESULTS OF THE ELECTION.

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ARTICLE 32. (1) IMMEDIATELY AFTER THE COUNTING OF VOTES, THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL PREPARE A REPORT IN TRIPLICATE.

(2) IN THE PROVINCES, THE CHAIRMAN OF THE COMMITTEE WILL POST ONE COPY OF THE REPORT IN HIS OFFICE, KEEP ONE COPY FOR HIMSELF, AND FORWARD ONE COPY TO THE MAIN POLLING STATION AT THE DISTRICT TOWN TOGETHER WITH THE BALLOTS AND ENVELOPES DESCRIBED IN ARTICLE 31, IF ANY, FOR A SUMMING UP OF THE RESULTS IN THE DISTRICT. THE COMMITTEE CHAIRMAN OF THE MAIN POLLING STATION WILL ADD UP THE NUMBER OF VOTES RECEIVED BY EACH LIST AND PREPARE A REPORT IN TRIPLICATE FOR ALL (SIC) POLLING STATIONS WITHIN THE DISTRICT, AND THEN POST THE TEMPORARY RESULTS AT THE DISTRICT ADMINISTRATIVE OFFICE.

(3) IMMEDIATELY AFTER, THE ABOVE-MENTIONED REPORT WILL BE SENT TO THE POLLING STATION OF THE PROVINCE CAPITAL. THE COMMITTEE CHAIRMAN OF THIS POLLING STATION WITHIN THE PROVINCE, WRITE A REPORT, AND POST THE TEMPORARY RESULTS AT THE PROVINCE HEADQUARTERS.

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(4) IN SAIGON, HUE, DANANG, CAM RANH, DA LAT AND VUNG TAU, THE TEMPORARY RESULTS FROM VARIOUS POLLING STATIONS WILL BE TRANSMITTED TO THE MAIN POLLING STATION LOCATED AT THE MUNICIPAL ADMINISTRATIVE OFFICE.

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ARTICLE 33. RESULTS OF THE ELECTIONS IN THE PROVINCES AND MUNICIPALITIES WILL BE TRANSMITTED BY THE MOST RAPID MEANS AVAILABLE TO THE OFFICE OF THE NATIONAL ASSEMBLY WHICH WILL ANNOUNCE THE TEMPORARY RESULTS AS IT RECEIVES THEM.

ARTICLE 34. (1) REPORTS PREPARED BY THE PROVINCES AND MUNICIPALITIES AND THE ENCLOSED INVALID BALLOTS AND ENVELOPES MUST BE SENT TO THE OFFICE OF THE NATIONAL ASSEMBLY NO LATER THAN SEPTEMBER 10, 1967, SO THAT THE RESULTS MAY BE SUMMED UP AT A SESSION OF THE ASSEMBLY.

(2) AT THIS SESSION, THE CHAIRMAN OF THE ASSEMBLY WILL HAND THE REPORTS TO TWO DEPUTIES CHOSEN BY THE ASSEMBLY. THEY WILL READ THE REPORTS ALOUD WHILE TWO MEMBERS OF THE OFFICE OF THE ASSEMBLY KEEP A TALLY OF THE TEMPORARY RESULTS.

(3) A REPORT SUMMARIZING THE TEMPORARY RESULTS WILL BE PREPARED INQUADRUPLICATE, ONE FOR THE CENTRAL ELECTION COUNCIL, ONE FOR THE SPECIAL COMMISARIAT FOR ADMINISTRATION ONE FOR THE OFFICE OF THE ASSEMBLY AND ONE FOR THE NATIONAL ARCHIVES.

CHAPTER SIX

VALIDATION AND ANNOUNCEMENT OF RESULTS

ARTICLE 35. THE NATIONAL ASSEMBLY CONTROLS THE PROPRIETY OF THE ELECTIONS AND ANNOUNCES THE RESULTS.

ARTICLE 36. CANDIDATES' COMPLAINTS MUST BE FILED AT THE OFFICE OF THE NATIONAL ASSEMBLY NO LATER THAN SEPTEMBER 11,

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UNCLAS SECTION 7 OF 7 SAIGON 24451

CINCPAC FOR POLAD

SUBJECT; CONSTITUENT ASSEMBLY; DRAFT PRESIDENTIAL ELECTION LAW

HEREWITH EMBASSY'S UNOFFICIAL TRANSLATION REVISED COMMITTEE DRAFT OF PRESIDENTIAL ELECTION LAW. PLENARY DEBATE ON DRAFT BEGAN APRIL 29.
.....SEPTEMBER 11 1967. UPON RECEIVING A COMPLAINT THE OFFICE OF THE NATIONAL ASSEMBLY WILL ISSUE A RECEPIT.

ARTICLE 37. (1) THE OFFICE OF THE NATIONAL ASSEMBLY MUST TRANSMIT THE ABOVE-MENTIONED COMPLAINTS TO THE CENTRAL ELECTION COUNCIL ON SEPTEMBER 12, 1967.

(2) THE CENTRAL ELECTION COUNCIL MUST EXAMINE THE ABOVE-MENTIONED COMPLAINTS AND SEND ITS REPORT TO THE OFFICE OF THE NATIONAL ASEEMBLY NO LATER THAN SEPTEMBER 18, 1967.

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(3) THE NATIONAL ASSEMBLY SHALL MEET ON SEPTEMBER 21, 1967, AT THE LATEST, TO ANNOUNCE THE VALIDITY AND FINAL RESULTS OF THE ELECTION.
ARTICLE 38. IF THERE HAS BEEN ANY IRREGULARITY AT ONE OR MORE POLLING STATIONS AND IF THE TOTAL NUMBER OF REGISTERED VOTERS AT THESE STATIONS EXCEEDS THE DIFFERENCE IN NUMBER OF VOTES RECEIVED NATIONWIDE BY THE TWO LEADING LISTS, THE ASSEMBLY WILL DECLARE AS NULL AND VOID VOTES CAST AT THESE STATIONS.
ARTICLE 39. IN THE CIRCUMSTANCES DESCRIBED IN ARTICLE 38, THE SPECIAL COMMISSARIAT FOR ADMINSTRATION WILL ORGANIZE WITHIN FIVE DAYS A NEW ELECTION IN THE LOCALITIES CON-

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CERNED USING EXISTING ROLLS OF VOTERS AND THE SAME LISTS OF CANDIDATES.
ARTICLE 40. IN THE ABOVE-MENTIONED CASE, THE NATIONAL ASSEMBLY WILL CONTROL THE PROPRIETY AND ANNOUNCE THE RESULTS OF THE ELECTIONS ACCORDING TO THE PROVISIONS OF ARTICLE 36 AND FOLLOWING ARTICLES.

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ARTICLE 41. IF IRREGULATIRITES HAVE BEEN SUFFICIENTLY SERIOUS TO OPEN TO QUESTION THE HONESTY OF THE VOTING AND AFFECT THE GENERAL RESULTS OF THE ELECTION, THE NATIONAL ASSEMBLY SHALL PROCLAIM THE ANNULMENT OF THE ENTIRE ELECTION.
ARTICLE 42. IN THE CIRCUMSTANCES DESCRIBED IN ARTICLE 41, A LAW SHALL DECIDE THE DATE AND PROCEDURES FOR ANOTHER ELECTION.
ARTICLE 43. RESULTS OF THE ELECTION MUST BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE REPUBLIC OF VIET NAM.

CHAPTER SEVEN
PENALTIES

ARTICLE 44. (1) ANY PERSON WHO ENGAGES IN SABOTAGE AIMED AT OBSTRUCTING THE ELECTION FOR PRESIDENT AND VICE-PRESIDENT WILL BE SENTENCED FROM FIVE TO TWENTY YEARS IMPRISONMENT WITH HARD LABOR, UNLESS ANOTHER LAW PRESCRIBES A HEAVIER PENALYT.
(2) PERSONS WHO CAST MORE THAN ONE BALLOT OR USE MORE THAN ONE VOTING CARD WILL BE SENTENCED FROM ONE TO FIVE YEARS IN PRISON, UNLESS A HEAVIER PENALTY IS PRESCRIBED BY ANOTHER LAW.
ARTICLE 45. (1) PROVISIONS OF EXISTING LAWS WHICH ARE CONTRARY TO THIS LAW WILL BE ANNULLED.

(2) THIS LAW WILL BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE REPUBLIC OF VIET NAM.
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